



Senate

General Assembly

January Session, 2003

File No. 293

Senate Bill No. 1063

Senate, April 10, 2003

The Committee on Judiciary reported through SEN. MCDONALD of the 27th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING THREATENING IN THE FIRST DEGREE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-61aa of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) A person is guilty of threatening in the first degree when such
4 person (1) (A) threatens to commit any crime involving the use of a
5 hazardous substance with the intent to terrorize another person, to
6 cause evacuation of a building, place of assembly or facility of public
7 transportation or otherwise to cause serious public inconvenience, or
8 [(2)] (B) threatens to commit such crime in reckless disregard of the
9 risk of causing such terror, evacuation or inconvenience, or (2) (A)
10 threatens to commit any crime of violence with the intent to cause
11 evacuation of a building, place of assembly or facility of public
12 transportation or otherwise to cause serious public inconvenience, or
13 (B) threatens to commit such crime in reckless disregard of the risk of
14 causing such evacuation or inconvenience.

15 (b) For the purposes of this section, "hazardous substance" means
16 any physical, chemical, biological or radiological substance or matter
17 which, because of its quantity, concentration or physical, chemical or
18 infectious characteristics, may cause or significantly contribute to an
19 increase in mortality or an increase in serious irreversible or
20 incapacitating reversible illness, or pose a substantial present or
21 potential hazard to human health.

22 (c) Threatening in the first degree is a class D felony.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>

JUD *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Correction, Dept.; Judicial Dept.	GF - Cost	Potential	Potential

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill expands the crime of threatening in the first degree and could result in a cost to increase the length of incarceration. The average annual cost to incarcerate someone is \$26,331 (\$72/day) not including capital or staff fringe benefit costs. Few offenses are anticipated. Alternatively, the annual cost of probation could be as high as \$1,000 for these individuals.

OLR Bill Analysis

SB 1063

AN ACT CONCERNING THREATENING IN THE FIRST DEGREE**SUMMARY:**

This bill expands the crime of 1st degree threatening to include threats to commit a violent crime with intent to cause, or with reckless disregard of the risk of causing, (1) evacuation of a building, place of assembly, or public transportation facility or (2) serious public inconvenience. This crime is a class D felony, punishable by a fine of up to \$5,000, up to five years in prison, or both.

Under current law, this crime includes threats to commit a crime involving the use of a hazardous substance with intent to cause, or acting with reckless disregard of causing, terror; evacuation of a building, place of assembly, or public transportation facility; or public inconvenience.

Under current law, a person commits 2nd degree threatening when he (1) intentionally places or attempts to place another person in fear of imminent serious physical injury by a physical threat, (2) threatens to commit a violent crime with intent to terrorize another person, or (3) threatens to commit a violent crime in reckless disregard of the risk of causing terror. This is a class A misdemeanor, punishable by a fine of up to \$2,000, up to one year in prison, or both.

EFFECTIVE DATE: October 1, 2003

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Report

Yea 40 Nay 0